

love it because home health care allows seniors and others with disabilities a feeling of independence and dignity, despite their illnesses. Often home health is an alternative to more expensive services in hospitals, and, thus, is a cost-effective alternative to providing care.

However, folks, there is a home health care crisis—too many seniors and disabled who should be receiving health care services at home are not getting it. This is wrong. Many of our most frail and vulnerable have had to be repeatedly hospitalized with problems that could have been avoided had they been continuing to receive their home health benefits. Others are trying to pay for the care themselves, often on very limited means. Some are going without care altogether.

By the late 1990s, home health care was the fastest growing component of Medicare spending, growing at an average of 26 percent annually. We all know what happened next—in an effort to balance the budget and make the home health program more cost-effective and efficient, Congress in the Balanced Budget Act of 1997, BBA, tried to cut the growth in Medicare spending. Unfortunately, the real results of this action went much farther than we intended, in large part because of faulty implementation and excessive regulatory requirements of the Health Care Financing Administration, HCFA. As the cuts and regulations spun out-of-control, health care providers struggled to survive, while many were forced to close their doors entirely. Ultimately, patients suffered the most. This story applies to patients and providers in all parts of Medicare, hospitals, nursing homes, home health care providers, everyone.

Now, on the horizon, is yet another 15-percent cut that would put many of our already struggling home health agencies at risk and would seriously jeopardize access to critical home health services for millions of our Nation's seniors. In my State of Montana, access to home health care is already a problem for many, we cannot make this problem worse. Home health and, most importantly, the patients who depend on its services cannot afford this. We must act now.

I am indeed proud that last year we passed legislation, the Medicare, Medicaid, and S-CHIP Benefits Improvement and Protection Act, which provided some relief to struggling home health agencies. However, I do not think that it went far enough. First, we must eliminate the 15 percent cut completely. The simple fact is that an additional 15 percent cut in Medicare home health payments would spell death for those low-cost agencies which are currently struggling to hang on, and it would further reduce seniors' access to critical home care services. We have already delayed this 15 percent

cut three times—the time has come to do away with it once and for all. Secondly, we must also make permanent the temporary 10 percent add-on for home health services furnished patients in rural areas. This, too, was included in last year's legislation, this bill would make it permanent.

In Montana, we know too well how very expensive it is for home health agencies to deliver services to rural patients. They have to travel long distances, and it takes a long time to reach those patients. That all adds to the cost.

The Home Health Care Stability Act will provide essential relief for our home health agencies that are struggling to make ends meet. I am proud to add my name as a cosponsor of this important piece of legislation. I hope we can get quick action on this bill to ensure that seniors and the disabled have appropriate access to quality home health care.

PUBLIC MEDAL OF VALOR ACT

Mr. LEAHY. Mr. President, I am pleased to cosponsor the Public Safety Officer Medal of Valor Act, S. 39, which was introduced by Senator STEVENS. I thank him for his hard work on this important piece of legislation.

I supported and cosponsored the Public Safety Officer Medal of Valor Act in the last Congress as well. I was disappointed that this legislation did not become law then. In April and May, 1999, I made sure that the Senate acted on this bill. On April 22, 1999, the Senate Judiciary Committee took up that measure in regular order and reported it unanimously. At that time I congratulated Senator STEVENS for introducing the measure and thanked him for his leadership. I noted that we had worked together on a number of law enforcement matters and that the senior Senator from Alaska is a stalwart supporter of the men and women who put themselves at risk to protect us all. I said that I looked forward to enactment of this measure and to seeing the extraordinary heroism of our police, firefighters and correctional officers recognized with the Medal of Valor.

On May 18, 1999, I was privileged to be on the floor of the Senate when we proceeded to consider S. 39 and passed it unanimously. I took that occasion to commend Senator STEVENS and all who had worked so hard to move this measure in a timely way. That was during National Police Week nearly two years ago. The measure was sent to the House of Representatives where it lay dormant for the remainder of the 106th Congress.

Instead, the House, in the last Congress, insisted that the Senate take up, fix and pass the House-passed version of this measure, H.R. 46, if it were to become law. House members indicated

that they were prepared to accept most of the Senate-passed text, but insisted that it be enacted under the House bill number. In order to get this important measure to the President, we did that on December 15, 2000. We discharged the House-passed version of that bill from the Judiciary Committee, adopting a complete substitute, and sent it back to the House. Unfortunately, the House failed to act on our good faith effort last year, and the Public Medal of Valor was never enacted.

This year, I have again worked with Senator STEVENS, Senator HATCH, and others to get this important bill passed. I urge my colleagues to work towards improvements to ensure that the Medal of Valor Board will work effectively and efficiently with the National Medal of Valor Office within the Department of Justice. Our legislation should establish both of these entities. It is essential that they work well together to design the Medal of Valor and to create the criteria and procedures for recommendations of nominees for the award. The men and women who will be honored by the Medal of Valor for their brave deeds deserve nothing less. I hope the Senate will quickly act on these changes to this important measure.

BLACK HISTORY MONTH

Mr. KERRY. Mr. President, I'd like to make a few comments today in recognition of Black History Month. For a quarter-century, our country has held the month of February in special regard as a time to remember and reflect on the rich history and extraordinary achievements of African Americans. Today, I would like to speak about some important and influential African Americans from my home State of Massachusetts.

The diversity we celebrate during this month encompasses many areas. African-American leaders should be recognized not only for their achievements in the face of racial discrimination, but for the accomplishments they have made in a wide variety of occupations. Diversity stretches beyond race and crosses into gender, age, and occupation. The following men and women cover a wide spectrum of interests, eras, and accomplishments, and each has made a significant contribution to the Massachusetts community.

In 1845, Macon B. Allen became the first African American officially admitted to the bar, and he practiced law for many years in Worcester, Massachusetts before moving to South Carolina, where he became one of the first black Federal judges in the Nation. Mr. Allen set a precedent that opened many doors for the minority attorneys and judges who followed in his footsteps.

Dr. W.E.B. DuBois has long been recognized as a figure of leadership in African-American history. Dr. Dubois

fought racism through words, writing in such publications as the National Association for the Advancement of Colored People journal. He approached civil rights boldly, advocating the eradication of all distinctions on the basis of race or color. Throughout the early half of the 20th century, DuBois sought this ideal, in his words, "to obtain without compromise such rights and privileges as belonged to members of civilization of which he was a part."

John Thomas, an athlete from Massachusetts, truly soared above his competition. As a freshman at Boston University, Thomas established a new world record for the high jump at 7 feet, 1¼ inches in 1959. As the first athlete to consistently jump more than 7 feet, Thomas went on to break his own record twice. He represented America in the 1960 Summer Olympics in Rome, medaling in the high jump. In addition to his athletic activities, Thomas served his local community as a leader in several organizations, including the Boy Scouts of America and the National Multiple Sclerosis Society.

Dorothy West was heralded as "the last living member of the Harlem Renaissance" until her death in 1998. Despite her ties to the New York artists' movement, her roots in Massachusetts run deep. Ms. West was born near Martha's Vineyard and spent nearly her entire life there. Ms. West became an award-winning writer when she was still a teenager, and she started and edited several literary magazines that focused on black writers of the era. She returned to Martha's Vineyard to finish her first novel, *The Living is Easy*, published in 1948, and to write her second novel, *The Wedding*, later published in 1995.

These stories provide meaningful snapshot of how African Americans have contributed greatly to Massachusetts and our Nation. Their triumphs, along with the everyday achievements of African-Americans in my state, should be applauded. I am proud that my State has such a richly diverse history and I'm pleased we have set aside this month to commemorate these accomplished individuals. I hope as a Nation we will remember these achievements not only this month, but every day.

Mr. WELLSTONE. Mr. President, I rise today to speak on behalf of this year's Black History Month theme, "Creating and Defining the African American Community: Family, Church, Politics and Culture." I would like to note that while we take time in February to recall the contributions, accomplishments and services that our fellow citizens have rendered, it is important to remember that the contributions of African Americans to America happen everyday in every walk of life.

Moreover, in our review of these vital contributions, we are called upon to ac-

knowledge the courage, talent, determination, leadership and vision of those men, women and children who made an impact in the face of incredible obstacles.

This year's theme, I believe, is fundamental not only in defining the African American community, but the American community at large. The struggle for a better America begins with each individual and his or her call to civic duty. The historical context of building a better America begins with gaining a deeper understanding of our history and how our social environment has been shaped.

The civil rights movement helped our Nation, and particularly our government, recognize that universal participation and rights are enjoined upon all citizens, regardless of the color of their skin. One of the many lessons that can be gleaned from this movement is that it is our duty as Americans to embrace the diverse elements of our society so that future generations can see themselves in our Nation's past and realize that they have a role to play in seizing the future's countless opportunities.

In acknowledging the various elements of the African American community of Family, Church, Politics and Culture, I would like to acknowledge a few of the outstanding contributions of African Americans in the state of Minnesota. Their efforts have helped shape the social, economic and political landscape of that vibrant community as well as the community at large.

Just recently, the United States Postal Service issued a stamp in its Postal Service's Black Heritage commemorative series. This stamp commemorates the life and accomplishments of one of the great leaders of the civil rights movement, Mr. Roy Wilkins, who grew up in St. Paul and attended the University of Minnesota. In 1931 he was appointed assistant executive secretary of the National Association for the Advancement of Colored People, NAACP, the largest civil rights organization in the U.S. From 1934 to 1949 he was editor of *The Crisis*, the official magazine of the NAACP. Wilkins served as a consultant to the War Department on black employment during World War II. After the war he continued his service to the NAACP; he was executive secretary from 1955 to 1965 and executive director from 1965 until his retirement in 1977. He played a major role in the preparation of Brown versus Board of Education of Topeka, 1954, and was one of the organizers of the March on Washington in 1963. It is only fitting that the legacy of a man of such integrity, vision, and deep conviction is given tribute through this special recognition. His leadership and dedication to the civil rights cause is exemplary.

I am proud to honor the religious community not only for their spiritual guidance of the African American com-

munity, but also for their unwavering efforts to improve the quality of life in our cities and state. The Coalition of Black Churches in Minneapolis and the St. Paul Ministerial Alliance truly have made a difference in the community with their outreach on behalf of their congregations and community, through their experience and sacrifice, through their political will with their legislative agendas, and most importantly, through their leadership and exemplary behavior. They are not simply preaching the meaning of values, family and community service, they are also showing us.

In the arena of politics, Ms. Neva Walker became the first African American woman to be elected to the Minnesota Legislature just last fall. Given the dispiriting level of civic participation in our society today, I truly am appreciative of the vision and leadership that Representative Walker brings to her constituents and our state. I am honored to know and work with Representative Walker. As the first African American woman legislator in our state I know she will make important changes, provide needed leadership, and introduce legislation that will greatly help many people.

Our community also is extremely privileged to have an organization with the capacity and outreach of African American Family Services. For 25 years, this organization has reached out to the community to provide culturally specific services and programs ranging from providing critical services in clinical health, family preservation, domestic violence, and adolescent violence prevention and anger management. In addition, this organization provides its clients and the community with a resource center, which includes a resource library and a technical assistance center, which creates training programs to educate human resource professionals on enhancing service delivery to African American clients.

A tribute to some of the heroes of the community would not be complete without a mention of two men who brought so much joy to the fans of the Minnesota Twins. Mr. Kirby Puckett and Mr. Dave Winfield, who were both inducted into Major League Baseball's Hall of Fame, provided Twins fans in Minnesota and around the country with some spectacular plays which will forever be in our memories. Aside from their outstanding professional accomplishments, both players continue to be exemplary role models and community leaders.

Let us take this opportunity to rededicate and re-invigorate ourselves, as Americans, to the cause of working together to create a society which not only understands the concept of unity in diversity, but lives it; which not only preaches economic justice, but implements it; that not only espouses equality of opportunity, but ensures it.

JUNIOR RESERVE OFFICERS TRAINING CORPS

Mr. GRAHAM. Mr. President, on February 15th, I was pleased to join Senator THURMOND in introducing a bill that would remove current restrictions preventing the expansion of the Junior Reserve Officers Training Corps, JROTC. This bill would also address the shortage of JROTC instructors by expanding the qualifying criteria to National Guard and Reserve Officers. There is nearly unanimous agreement that JROTC is turning today's children into tomorrow's leaders. Additionally, high school performance measures consistently indicate that JROTC cadets attend class more frequently, are responsible for fewer disciplinary infractions, and are more likely to graduate. JROTC's blend of local, State, and Federal involvement has also been a model for good government, and it has sponsored teamwork not just in its cadets but also in the agencies responsible for the program. As many members know, I have long been a supporter of the JROTC program, having secured \$27 million in supplemental appropriation for JROTC in 1999. By removing the current limitations on its expansion, we are enabling more students to participate in what has proven to be an exemplary program. The legislation would remove the congressionally-mandated ceiling of 3,500 JROTC units. It would also allow the Marine Corps to continue to expand their program which had previously been capped at 210 units. All together the Army, Air Force, Navy, and Marine Corps have more than 2,700 school units totaling over 425,000 cadets, with hundreds of schools nationwide on waiting lists for a JROTC program. JROTC has carried bipartisan support since Congress established it in 1926.

I urge my colleagues to support this legislation.

NAVAL RESERVE'S 86TH BIRTHDAY

Ms. LANDRIEU. Mr. President, on March 3rd we honor the 86th birthday of the United States Naval Reserve. Since 1915 the Naval Reserve has exemplified the highest virtues of loyalty, service, and sacrifice. They have served and fought alongside their active duty comrades from the Atlantic to the far reaches of the Pacific, to the jungles of Vietnam and across the vast expanse of the Arabian desert as a battle-tested and skilled force that is the envy of the world.

Back in 1915, no one could have imagined the role that fledgling naval reserve would play in supporting the Navy today. The term "Weekend Warrior" no longer applies to these citizen-soldiers. As a trained, professional and well-equipped cadre of dedicated men and women, they are a key component of everything the Navy does, both in

peacetime and in war. Many of them have made the ultimate sacrifice in the cause of freedom and we honor their memory.

They serve on ships, in squadrons, on staffs, and in hospitals performing a myriad of tasks essential to mission accomplishment. Seamlessly integrated alongside their active-duty shipmates you cannot tell the difference between them. This is the reality of today's total force and what enables our marvelous military to remain engaged around the world.

They have a proud heritage and a bright future. In the spirit of the Minutemen of Lexington and Concord these great Americans stand ready to answer their Nation's call at any time, and the world is a better place because of the sacrifice they and their families make.

In my hometown of New Orleans, we are fortunate enough to be rich in Naval history and tradition. We are the proud home of the Naval Reserve Headquarters where Rear Admiral John Totushek commands more than 88,000 reservists across the United States and around the world.

As we set out in this new century, the importance of the Naval Reserve has never been more clear. Tomorrow, as today and for generations past, the razor sharp readiness of the United States Navy serves as a beacon to America's friends and a warning to our enemies, promising swift action, great victories and richer traditions yet to come.

On this day, I offer warmest regards to all members of the Naval Reserve, and to the families who also serve by supporting them. You represent all that is wonderful about our Nation.

ADDITIONAL STATEMENTS

TRIBUTE TO LEON KENISON UPON HIS RETIREMENT

• Mr. SMITH of New Hampshire. Mr. President, I rise today to honor Leon Kenison, an exemplary public official who dedicated himself to serving the people of New Hampshire for almost four decades. As Commissioner of the Department of Transportation since 1996, he has brought to the office the professional skills and knowledge of the politics and practice of road building so vital to an agency that touches the lives of every person who lives in or visits the Granite State.

Leon began his career with the Department of Transportation in 1963, a week before graduating from the University of New Hampshire. He is widely respected for his transportation expertise at state, regional and national levels, and has chaired several key committees for the American Association of State Highway Transportation Officials. During his tenure with the DOT,

Leon approached his work with a can-do attitude, and balanced what needs to be done with what can be done.

Throughout his career, Leon accomplished a great deal for transportation in New Hampshire. The people of this state look upon him with tremendous gratitude and admiration for all that he has done. I have often sought Leon's support and expertise on transportation issues. We worked closely together to make sure that New Hampshire's needs were met in the Transportation Equity Act for the 21st Century. Under his leadership, the DOT not only secured funding to complete major highway projects including Route 101 and I-93, but also placed more emphasis on environmental protection, car pools, express bus, rail and other new programs.

It is an honor and a privilege to serve Leon Kenison in the U.S. Senate and I wish him and his family godspeed in his retirement and in all of their future endeavors. •

MESSAGE FROM THE PRESIDENT

A message from the President of the United States was communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGE REFERRED

As in executive session the Presiding Officer laid before the Senate a message from the President of the United States submitting a nomination which was referred to the Committee on Finance.

(The nomination received today is printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-681. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Weighted Average Interest Rate Update" (Notice 2001-15) received on February 13, 2001; to the Committee on Finance.

EC-682. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Disclosure of Return Information to the Bureau of the Census" ((RIN1545-AY51)(TD8943)) received on February 13, 2001; to the Committee on Finance.

EC-683. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "CPI Adjustment for Below-market Loans for 2001; Correction" (Ann. 2001-19) received on February 13, 2001; to the Committee on Finance.

EC-684. A communication from the Chief of the Regulations Unit, Internal Revenue